



SO ORDERED.

SIGNED this 19th day of November, 2021

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**


Suzanne H. Bauknight
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE (NORTHERN)**

IN RE: MARK WAYNE PROFFITT

CASE NO. 3:17-BK-32148-SHB

Debtor(s)

CHAPTER 7

AGREED ORDER RESOLVING MOTION FOR RELIEF FROM AUTOMATIC STAY

This matter having come before the Court pursuant to the Motion for Relief from Automatic Stay and Abandonment filed by ORNL Federal Credit Union (hereinafter "ORNL") (dkt. # 80), and the Trustee's Objection to Motion for Relief from Automatic Stay and for Abandonment (dkt. # 83) the Court, being fully advised, finds that the Chapter 7 Trustee, John P. Newton, Jr. (hereinafter "Trustee") shall have 120 days from the date of this Agreed Order to sell the property located at 718 Gamble Dr, Heiskell, TN 37754 (hereinafter "Property"), and if the Property goes under contract,

the Trustee shall have 30 days to complete closing. Upon the sale of the Property ORNL's lien shall be paid in full pursuant to a payoff quote.

If the Property is not sold within the 120 days from the entry of this order, or if the property goes under contract, and the closing does not take place within 30 day, ORNL shall be granted relief from the automatic stay and ORNL would be free to pursue state court remedies against the Property, said Property being more particularly described as follows:

SITUATE in the Sixth (6th) Civil District of Knox County, Tennessee, and without the corporate limits of the City of Knoxville, Tennessee, and being more particularly bounded and described as follows:

BEGINNING at an iron pipe in the southeast right of way line of Gamble Drive, said iron pipe being 3,758 feet, more or less, northeast of the point of intersection of the southeast right of way line of Gamble Drive with the center line of Raccoon Valley Road, if extended to intersect, said beginning point also being at a common corner to property now or formerly owned by Lee Knipes; thence with the southeast right of line of Gamble Road, North 31 degrees 21 minute East, 135.87 feet to an iron pin, common corner to property now or formerly owned by Carl E. DeBusk; thence with the line of DeBusk, south 44 degrees 38 minutes East, 350.83 feet to an iron pin; thence South 28 degree 04 minutes west, 102.21 feet to an iron pin, common corner to property of Lee Knipes; thence with the line of Knipes, North 51 degree 02 minutes west, 169.55 feet to an iron pin at a crooked oak; thence continuing with line of Knipes, north 49 degree 29 minute west, 180.45 feet to an iron pipe in the southeast right of way line of Gamble Drive, the point of BEGINNING, containing 0.94 acres as shown by survey of G.T. Trotter, Jr, Surveyor dated December 8, 1981, drawing no. 20422; said premises are improved with dwelling fronting on Gamble Drive.

BEING the same property conveyed to Mark W. Proffitt and Deborah Proffitt, husband and wife by Warranty Deed from Johnny Allen Whitsell and Pamela Diana Whitsell, husband and wife dated November 17, 2005 of record in Instrument Number 200602270071770, in the Register's Office for Knox County, Tennessee.

The parties to this Agreed Order are free to extend the time period beyond the aforementioned 120 days upon written agreement and submission of further order(s) for entry by the Court. The trustee does not abandon his interest in the property even if ORNL is granted relief from the automatic stay.

IT IS SO ORDERED.

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APPROVED:

/s/ Luke H. Neder

Joel W. Giddens (016700)
Heather Martin-Herron (032248)
Kathryn Lachowsky-Khan (037090)
Luke H. Neder (028444)
Alexandra Bradley (034703)
5050 Poplar Avenue
Suite 115
Memphis, TN 38157
(865) 558-5688
Attorneys for RoundPoint Mortgage Servicing Corporation

/s/ John P. Newton, with permission, by
Luke H. Neder

John P. Newton (010817)
Chapter 7 Trustee
1111 Northshore Drive Suite S-570
Knoxville, TN 37919

W&A No. 330866
Loan No. XXXXXX2153